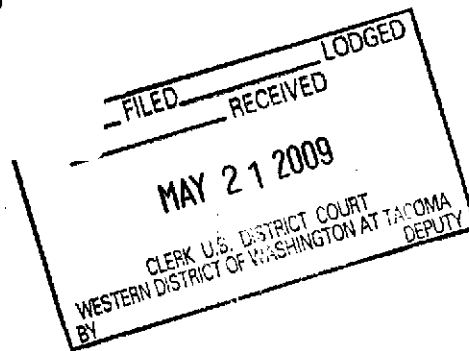




08-CV-05750-ORD



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JODY KENNARD,

Plaintiff,

v.

MICHAEL ASTRUE, Commissioner of
Social Security,

Defendant.

CASE NO. C08-5750FDB

ORDER

After reviewing the agreed motion to remand the matter to the administration (Doc. 18), it is hereby ORDERED that the Commissioner's final decision be reversed and remanded for a de novo hearing pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) shall:

- Conduct a new hearing, further develop the record, and issue a new decision.
- The ALJ shall develop the record concerning of the claimant's orthopedic and mental impairments.
- The ALJ should obtain evidence from medical experts, who are qualified in orthopedics and psychiatry to clarify the nature and severity of the claimant's impairments.

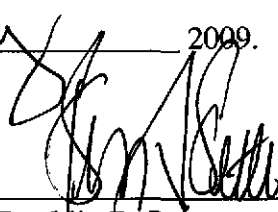
1 • The ALJ should further reassess the claimant's maximum residual functional capacity
2 and should consider all treating and examining medical source opinions.

3 • The ALJ should consider the claimant's subjective complaints.

4 • The ALJ should obtain testimony from a vocational expert and present a complete
5 hypothetical question containing all of the credible limitations.
6

7 New medical evidence, if available, shall be considered on remand. The May 25, 2007
8 hearing decision shall be made part of the case record. Upon proper presentation, the Court will
9 consider Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d).

10 DATED this 21 day of May 2009.

11
12 
13 Franklin D. Burgess
14 UNITED STATES DISTRICT JUDGE

15 Recommended for Entry
16 This 18th day of May, 2009.

17 
18 J. Richard Creatura
19 United States Magistrate Judge
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